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MICROSOFT CORPORATION

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MICROSOFT CORPORATION,

Plaintiff,

vs.

NASER AL MUTAIRI, an individual;  
MOHAMED BENABDELLAH, an individual;  
VITALWERKS INTERNET SOLUTIONS,  
LLC, d/b/a NO-IP.com; and DOES 1-500,

Defendants.

) Case No. 2:14-cv-00987-GMN-GWF

)  
)  
) **MICROSOFT'S MOTION FOR DEFAULT**  
) **JUDGMENT**

) **(Hearing Requested)**

) Filed Concurrently Herewith:  
) Memorandum of Points & Authorities;  
) Declaration of Jason Lyons; Declaration of  
) Rachael M. Smith; [Proposed] Order

Pursuant to Fed. R. Civ. P. 55, Plaintiff Microsoft Corporation moves for an order of default judgment against Defendant Naser Al Mutairi and Defendant Mohamed Benabdellah (“Defendants”) on its claims brought under the Computer Fraud and Abuse Act and Nevada’s Unlawful Acts Regarding Computers and Information Services Statute.<sup>1</sup> Defendants have failed to respond or otherwise participate in this litigation. As a result, Microsoft obtained an entry of default against them and now seeks an order from this Court to permanently enjoin them from further spreading and infecting Microsoft’s customers with the Blandabindi/Jenxcus malware. Microsoft also seeks an award of damages in the amount of \$750,000 for costs related to its investigation and loss of goodwill as a result of the malware infections as set forth in the Declaration of Jason Lyons. These damages are recoverable under the Computer Fraud and Abuse Act, 18 U.S.C. § 1030(g) and Nevada’s Unlawful Acts Regarding Computers and Information Services Statute, N.R.S. § 205.511(1)(a), (c). Last, Microsoft requests a hearing on this motion to give Defendants one more opportunity to appear and respond before a default judgment is entered against them.

Dated: October 29, 2014

SHOOK, HARDY & BACON L.L.P.

/s/ Randall D. Haimovici  
 RANDALL D. HAIMOVICI  
 RACHAEL M. SMITH

Attorneys for Plaintiff Microsoft  
 Corporation

<sup>1</sup> Microsoft also asserted in the Complaint that Defendants violated the Anti-Cybersquatting Consumer Protection Act and were liable for common law trespass, conversion, and negligence. Microsoft is not seeking a default judgment as to these claims.